

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NADIA MOHAMED,  
*Plaintiff,*

v.

PROGRESSIVE ADVANCED  
INSURANCE COMPANY,  
*Defendant.*

CIVIL ACTION  
NO. 21-5174

**ORDER**

AND NOW this 11th day of April 2022, upon consideration of Plaintiff Nadia Mohamed's motion for leave to file an Amended Complaint (ECF 13) and Defendant Progressive Advanced Insurance Company's response (ECF 15), which does not oppose the motion, it is **ORDERED** that the motion is **GRANTED** and Mohamed may proceed on her Amended Complaint.<sup>1</sup>

It is **FURTHER ORDERED** that Progressive's motion to dismiss Mohamed's Complaint (ECF 4) is **DENIED** as moot.

Consistent with the accompanying memorandum of law, it is **STILL FURTHER ORDERED** that, because Mohamed is proceeding *in forma pauperis*, her Amended Complaint is subject to screening under 28 U.S.C. § 1915(e)(2)(B)(ii) and her bad faith (Count I), "contractual breach of implied covenant of good faith" (Count III) and intentional infliction of emotional distress (Count IV) claims are **DISMISSED** for failure to state a claim.

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<sup>1</sup> The proposed Amended Complaint was uploaded to the Court's Electronic Case Filing system with its pages out of sequential order with exhibits randomly interspersed through the pleading. *See* (ECF 13 at ECF p. 8-10, and ECF 13-1 at ECF p. 46-51, and 56-64.)

Mohamed may amend her claims for bad faith and intentional infliction of emotional distress to the extent she is able to allege facts sufficient to state a plausible claim for relief. She shall file any Second Amended Complaint on or before **Friday, April 29, 2022.**<sup>2</sup>

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.

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<sup>2</sup> If Mohamed does not file a Second Amended Complaint by then, this case will proceed only with respect to the breach of contract claim set forth in Count II of the Amended Complaint.